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8 NOT FOR CITATION

9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 JOHN ZINN,

No. C 08-0634 JF (PR)

12 Petitioner,

13 ORDER OF DISMISSAL WITHOUT
PREJUDICE

14 v.

15 LEE ANN CHRAVES,

16 Respondent.
17 _____ /
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United States District Court Petitioner, a state prisoner proceeding pro se, seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On January 28, 2008, the Court sent a notification to Petitioner informing him that his action could not go forward until he paid the filing fee or filed a completed prisoner's in forma pauperis application. The Clerk of the Court provided a copy of the correct form for application to proceed in forma pauperis, instructions, and a notification that the case would be dismissed if Petitioner failed to pay the fee or file the completed application within thirty days.

On March 24, 2008, the Court's notice was returned by mail with a notation that Petitioner is no longer in custody. As of the date of this order, Petitioner has not paid the filing fee, filed a completed in forma pauperis application, or communicated with the Court.

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1 Accordingly, the instant habeas action is DISMISSED without prejudice for Petitioner's
2 failure to pay the filing fee or file a completed in forma pauperis application. The Clerk shall
3 terminate any pending motions and close the file.

4 IT IS SO ORDERED.
5 Dated: 3/31/08


JEREMY FOGEL
United States District Judge

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18 **United States District Court**
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